

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”

AGENDA

COUNCIL CHAMBERS

May 14, 2018

6:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Ronning

ROLL CALL: Councilmembers present on roll call were:

Cromley, Yakawich, Brewster, Ewalt, Joy, Friedel, Gibbs,
 Ronning, Clark, Brown

MINUTES: April 23, 2018 - **APPROVED**

COURTESIES:

- Mayor Cole congratulated Wyeth Friday, Planning Director, on his recent Spirit of Caring award from United Way.
- Mayor Cole encouraged Council to attend the Montana Municipal Institute in the future and added it had been a good 3-day conference.
- Councilmember Ronning stated Margot Kidder, also known as Lois Lane, had passed away. She stated that Ms. Kidder had been an advocate for mental illness and would be missed.
- Councilmember Yakawich congratulated all of the recent graduates and wished them a successful future.

PROCLAMATIONS:

- NONE

ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- Mr. McCandless reminded Council that there would be a budget only Work Session on Tuesday, May 15, 2018.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 AND 7B ONLY.

Speaker sign-in required. (Comments are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign the roster located on the cart at the back of Council chambers or at the podium. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana**, in reference to Item 1F, stated taxpayers should not pay for the Ace Hardware store parking lot and encouraged Council to vote in opposition to the TIF assistance.
- **Eric Bassey, 407 South 31st Street, Billings, Montana**, in reference to Item 1F, stated he was in support of Item 1F because it would help the area.
- **Debbie Keller, SBURA**, in reference to Item 1F, stated the plans would help to improve the area.
- **Charles D. King, Ace Hardware owner**, in reference to Item 1F, stated he was hoping to improve on a blighted area and thanked Council for their time.
- **Steve Zier, SBURA**, in reference to Item 1F, stated the TIF application met the standards and thought the improvements would help the area.

1. CONSENT AGENDA -- Separations: 1B, 1E, 1F, 1G, 1H, 1J, 1M1 and 1M2

A. Bid Awards:

1. **Airline Support Facility.** (Opened 5/1/18) Recommend Swank Construction; \$184,000. **APPROVED**
2. **Airport - Two Heavy Duty Snow Plows.** (Opened 4/10/18) Recommend M-B Company; \$1,532,160. **APPROVED**
3. **Storage Building for the Bureau of Land Management.** (Opened 5/1/18) Recommend delaying award until May 29, 2018 Council meeting. **APPROVED**
4. **W.O. 18-01, Schedule 2, Sanitary Sewer and Water Rehabilitation Project.** (Opened 5/1/18) Recommend Western Municipal Construction, Inc.; \$1,876,084. **APPROVED**

B. Change Order 2 - SID 1401, Molt Road Turn Lane Improvements, CMG Construction, LLC; \$80,205.50. APPROVED 8-3, YAKAWICH, EWALT AND GIBBS OPPOSED

- C. **Approval** of Airport's updated Disadvantaged Business Enterprise Program. **APPROVED**
- D. **Approval** of Scheduled Airline Operating Permit with Air Wisconsin Airlines, LLC. **APPROVED**
- E. **Approval** of Executive Search Firm Agreement. Recommendation contained in May 11, 2018 Friday packet. **APPROVED SPRINGSTED WATERS 6-5, YAKAWICH, BREWSTER, FRIEDEL, CLARK AND BROWN OPPOSED**
- F. **Approval** of Tax Increment Financing Assistance from South Billings Urban Renewal District to King & King, LLC for Demolition/Site Development at 4160 and 4130 State Avenue; \$212,993. **APPROVED 10-1, EWALT OPPOSED**
- G. **Amendment No. 2, Airport Terminal Expansion Project**, Professional Services Contract, Morrison-Maierle, Inc.; \$611,127. **APPROVED 10-0, BROWN ABSTAINED**
- H. **Amendment No. 8, Pavement Condition Index Survey**, Professional Services Contract, Morrison-Maierle, Inc.; \$67,714. **APPROVED 10-0, BROWN ABSTAINED**
- I. **Memorandum of Agreement** between the City of Billings and Yellowstone County, Yellowstone County Board of Planning and the Montana Department of Transportation for the Metropolitan Transportation Planning Process. **APPROVED**
- J. **Professional Services Contract** for W.O. 18-09, Downtown Traffic Study; Kittleson & Associates; \$189,617. **APPROVED 10-1, EWALT OPPOSED**
- K. **Second/Final Reading Ordinance 18-5705 for Zone Change 965**: a zone change from Controlled Industrial (CI) to Residential 6,000 (R-60) on a 7,000 square foot parcel of land, generally located at 109 South 35th Street. Dave Healow, owner; High Plains Architects, agent. Approval of the zone change and adoption of the findings of the 10 criteria. **APPROVED**
- L. **Final Plat Approval** of Algeo Subdivision. **APPROVED**
- M. **Bills and Payroll:**
 - 1. April 9, 2018 **APPROVED 10-0, CROMLEY ABSTAINED**
 - 2. April 23, 2018 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION 18-10718** adopting water and wastewater rate and fee schedule effective July 1, 2018. Staff recommends approval of option II. (Action: approval or disapproval of staff recommendation.) **APPROVED OPTION II 10-1, BREWSTER OPPOSED**
3. **PUBLIC HEARING AND RESOLUTION 18-10719** repealing Resolutions 99-17447 and 04-18137 and adopting the new Sidewalk, Curb and Gutter Policy. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code (BMCC), Sections 22-232 and 13-1200, for sidewalk repairs. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
5. **PUBLIC HEARING AND RESOLUTION 18- 10720 FOR ANNEXATION 18-01:** located west of Zimmerman Trail and north of Grand Avenue. Billings Opportunities, LLC, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **PUBLIC HEARING AND RESOLUTION 18-10721 FOR ANNEXATION 18-02:** located east of Jackson Street and south of Orrel Avenue. Ricky Savage, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
7. **LAKE ELMO DRIVE:**
 - a. **PUBLIC HEARING AND RESOLUTION 18-10722 FOR ANNEXATION 18-03:** located east of Lake Elmo Drive and south of Unita Park Drive. William and Kathy Baumann, owners. Sanderson Stewart, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
 - b. **DEVELOPMENT AGREEMENT** with William and Kathy Baumann. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code Articles 17-106 and 17-107, Noise Ordinance. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.
(Restricted to ONLY items not on this printed agenda. Comments are limited to 3

minutes. Please sign the roster located on the cart at the back of Council chambers or at the podium.)

- NONE

COUNCIL INITIATIVES:

- Councilmember Yakawich moved to use \$15,000 of FY18 Council contingency funds to host the USS Billings Commissioning Project, seconded by Councilmember Brewster. On a voice vote, the motion was unanimously approved.

ADJOURN: 10:51 PM